

Ref : 6502

To,

S. S. Developers, A Partnership Firm

Shop No. 1/2, Neelgiri Appartment,
Near Sola Bhagvat Vidhyapith,
Sola, Ahmedabad - 380060.

Ref : IN THE MATTER OF INVESTIGATION of title to the non-agriculture land bearing Final Plot No. 50 admeasuring 3460 sq.mtrs of Town Planning Scheme No. 72 (Tragad - Zundal) comprised of Survey No. 248 / 4 admeasuring 5767 Sq.mtrs situate, lying and being at Mouje - Tragad, Taluka - Ghatlodiya in the Registration District of Ahmedabad Sub District - Ahmedabad - 8 (sola) belonging to **S. S. Developers, A Partnership Firm.**

We refer to instructions by for above owners of said land to give an opinion on title to the captioned land, by taking necessary searches from the revenue and Sub-Registry records for a period of last about Thirty years. We have caused necessary searches to be taken accordingly through our search clerk. We have taken root of title commencing from about last Thirty years from now. Our report on title and opinion thereof is as stated hereafter. For detailed facts and particulars reference may be taken from the documents, papers, writings and the records referred to herein below.

- 1) Originally, the land of Survey No. 248 / 4 admeasuring 5767 sq.mtrs. of Mouje - Tragad was independently co-owned, co-occupied and possessed by Motibhai Gokalbhai & Becharbhai Motibhai, Prior to 1956.
- 2) That, the land in question was declared as "Fragment Land" in accordance with the provisions of Section-5 and Section-6 of

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The Bombay Prevention of Fragmentation and Consolidation of Holding Act-1947, and entry to that effect was entered in the revenue record vide mutation entry No. 738, dated: 15.12.1951., which was certified by the competent authority.

- 3) That the land in question was standing as personal inami land but the Personal Inam Abolition Act was enacted and on implementation of the said legislation, the Collector, Ahmedabad passed Order bearing No. W.T.L.4035 dtd. 28-7-1953, and directed to resume the said land and in pursuance of the said direction, the Taluka Authority passed Order bearing No. W.T.N.908 dtd. 02-02-1955 and accordingly, the said land was entered as "Khalsa Raiyatvari Head" and the said land was entered in the name of the owner and entry to that effect was entered in the revenue record of the said land vide mutation entry No. 833 dtd. 12-02-1956, which was duly certified by the competent authority.
- 4) Thereafter, the co-owner of said land namely Motibhai Gokalbhai died intestate in the year approx - 1943. At the time of his death Becharbhai Motibhai Patel was his legal heir and his name was entered in revenue record and entry to that effect was entered in the revenue record of the said land vide mutation entry No. 972 dtd. 23-11-1963, which was duly certified by the competent authority.
- 5) Thereafter, the co-owner of said land namely Becharbhai Motibhai Patel died intestate in the year approx - 1969. At the time of his death Ambalal Becharbhai Patel, Ishwarbhai Becharbhai Patel, Dahyabhai Becharbhai Patel, Trikambhai Becharbhai Patel & Narsinhbhai becharbhai Patel were his legal heir and their name were entered in revenue record and entry to that effect was

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entered in the revenue record of the said land vide mutation entry No. 2151 dtd. 29-08-1989, which was duly certified by the competent authority.

- 6) Thereafter among above said co - owners of the land namely Ambalal Becharbhai Patel, Dahyabhai Becharbhai Patel, Trikambhai Becharbhai Patel & Nahsinhbhai Becharbhai Patel waived their undivided share in favour of Ishwarbhai Becharbhai Patel and entry to that effect was entered in the revenue record of the said land vide mutation entry No. 2152 dtd. 29-08-1989, which was duly certified by the competent authority.

- 7) Thereafter, the land of Survey No. 248 / 4 of mouje - Tragad was cultivated through irrigation and hence as per the provision of the Bombay Prevention of Fragmentation and Consolidation Holdings Act, released the restriction of Fragment Land and entry to that effect was mutated in the other rights of revenue record of the said land vide Mutation Entry No. 2210 dated 02-09-1995, which was certified by the competent authority.

- 8) Thereafter owner of the said land namely Ishwarbhai Becharbhai Patel sold and conveyed above said land of Survey No. 248 / 4 of Mouje - Tragad to Shantaben Wd/o. Amathabhai Sendhabhai & Somabhai Amathabhai and Sale Deed for the same was registered with Sub-Registrar of Ahmedabad - 2 (Vadaj) on 17th November, 1995 vide its Sr. No. 5560. In said Deed of Sale Manibhai Ishwarbhai, Vinubhai Ishwarbhai, Vidhyaben Vinubhai, Ratilal Ishwarbhai & Shardaben Ratilal remain their presence as confirming party. and entry to that effect was mutated in the other rights of revenue record of the said land vide Mutation Entry No. 2215 dated 11-04-1996, which was certified by the competent authority.

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- 9) Thereafter among above said co - owners of the land namely Shantaben Wd/o. Amathabhai Sendhabhai waived her undivided share in favour of her son namely Somabhai Amathabhai and entry to that effect was mutated in the other rights of revenue record of the said land vide Mutation Entry No. 2506 dated 26-08-2005, which was certified by the competent authority.
- 10) That THE PROVISIONS OF THE GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT-1976 were made applicable to the land bearing Survey No. 248 / 4 admeasuring 5767 sq.mtrs by merging into Draft town planning scheme No. 72 (Tragad-Zundal) and the land bearing Survey No. 248 / 4 was given Final Plot No. 50 and its area is fixed to the extent of 3460 sq.mtrs and from-F is issued in accordance with the provision of Rules 21 & 35 of the Gujarat town planning Act and urban Development Rules-1979 enacted under the said act.
- 11) In pursuance of the standing instruction issued by the Revenue Department, Gujarat State, at present upon conducting the promulgation of computerized record, on ascertaining the village record from manuscript, computerized 7/12 and village from No. 6, the mistakes are noticed and hence, the City Mamlatdar, Ahmedabad passed Order bearing No. RTS / SUDHARA HUKAM / KSHATI YADI / SR No. 630 / 08, dated: 21.08.2008 and entry to that effect was entered in the revenue record by mutation entry No. 2902, dated 21-08-2008, which was certified by the competent authority on 13-10-2008.
- 12) In pursuance of the standing instruction issued by the Revenue Department, Gujarat State, at present upon conducting the promulgation of computerized record, on ascertaining the village

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record from manuscript, computerized 7/12 and village from No. 6, the mistakes are noticed and hence, the Mamlatdar, City passed Order bearing No. RTS / SUDHARO / VASHI . 3121 / 10 S.R. No. 4896, dated: 20-08-2010 and entry to that effect was entered in the revenue record by mutation entry No. 3201, dated 21-08-2010, which was certified by the competent authority on 27-10-2010.

13) Above said land was granted permission for Non Agriculatural (N.A.) use of land by the District Collector, Ahmedabad under his order No. CB / LAND - 2 / N.A. / S.R. 466 / 2012 on 25th July, 2012 in respect of said land for 5767 sq.mtrs. (3460 sq.mtrs. of final Plot) for Residential Purpose and entry to that effect was mutated in the other rights of revenue record of the said land vide Mutation Entry No. 3561 dated 29-08-2012, which was certified by the competent authority.

14) Thereafter owner of the said land namely Somabhai Amathabhai sold and conveyed above said land of Survey No. 248 / 4 admeasuring 5767 sq.mtrs. Paiki 2883.50 sq.mtrs. of Mouje - Tragad to Shyam Hasmukhbhai Patel and Sale Deed for the same was registered with Sub-Registrar of Ahmedabad - 8 (Sola) on 02nd May, 2015 vide its Sr. No. 4555 and entry to that effect was mutated in the other rights of revenue record of the said land vide Mutation Entry No. 3954 dated 08-05-2015, which was certified by the competent authority.

15) Thereafter, the owners of said land had submitted an online application to District Collector, Ahmedabad for obtaining non-agricultural use permission and consideration of said application the District Collector, Ahmedabad passed order bearing No. 267

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/ 07 / 17 / 045 / 2020 dated 04-02-2020 and granted non-agricultural use permission to the land bearing Final Plot No. 50 admeasuring 3460 sq.mtrs of Town Planning Scheme No. 72 (Tragad - Zundal) comprised of Survey No. 248 / 4 admeasuring 5767 Sq.mtrs of Mouje - Tragad in accordance with THE PROVISION OF SECTION - 65, 66, AND 67 OF LAND REVENUE CODE-1879 AND THE PROVISIONS OF RULES -100, 101 OF THE GUJARAT LAND REVENUE RULES - 1972 and entry to that effect was entered in the revenue record vide mutation entry No. 4667 dated 04-02-2020 which was certified by competent authority on 07-03-2020.

- 16) Above said entire land was owned and possessed by Somabhai Amthabhai & Shyam Hasmukhbhai Patel and Shyam Hasmukhbhai Patel (OWNERS OF LAND INTRODUCING LAND AS CAPITAL) Somabhai Amthabhai Prajapati (OWNERS OF LAND INTRODUCING LAND AS CAPITAL) Pragneshbhai Bhailalbhai Patel (PARTNER OF FIRM WHO BROUGHT FUND AS CAPITAL) Bhaveshkumar Rajnikant Patel (PARTNER OF FIRM WHO BROUGHT FUND AS CAPITAL) Bhadreshkumar Gordhanbhai Patel (PARTNER OF FIRM WHO BROUGHT FUND AS CAPITAL) Amit Lilachand patel (PARTNER OF FIRM WHO BROUGHT FUND AS CAPITAL) introduced said land as capital in S.S. Developers - A Partnership firm and Article of Agreement of Deed of Partnership firm (Declaration for the contribution of land as capital by partners into partnership firm) was registered with Sub - Registrar of Ahmedabad - 8 (Sola) on 11th February, 2020 under Registration No. 2570 and entry for the same was made in mutation registrar on 04th April, 2009 by entry No. 4230.



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- 17) As a part of investigation of title, we have published a public notice appeared in the daily newspaper **"GUJARAT SAMACHAR"** dated **25-02-2020** for inviting claim, objection, obligation, charges or lien in, on or upon said land, pursuant to which, we have not received any claim or objection in response thereto.

In view of what is stated above from that and from the information given to us that except what is stated herein above, the said land has not been given in security nor created any charge or encumbrance of any nature whatsoever thereon, nor the said land is subject matter of any pending proceedings, nor any order, decree, attachment or any order of any court or authority is operating against the said land which adversely affects the title of the said land and believing the same to be true, correct and trustworthy and also believing the documents/papers/copies/ orders/ documentary evidences etc. furnished in the case file shown to us to be true and genuine and also based upon the information given by owner/s that nothing was done in respect of the said land during the period of its occupancy and for which the record is not available, which would make the title defective; It appears that the titles of the captioned land belonging to **S. S. Developers, A Partnership Firm**, are to be clear and marketable and free from encumbrances and reasonable doubts subject to :-

1. Affidavit on title made by **S. S. Developers, A Partnership Firm** & fulfilment of terms and condition laid down in N.A order.
2. Laws applicable and in force to effect legally and properly sale, transfer or any other transaction with respect to the said land & fulfilment of **"PROVISION OF GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT-1976"** and Rules and regulation made there under.



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SCHEDULE

ALL THAT piece or parcel of immovable property non-agriculture land bearing Final Plot No. 50 admeasuring 3460 sq.mtrs of Town Planning Scheme No. 72 (Tragad - Zundal) comprised of Survey No. 248 / 4 admeasuring 5767 Sq.mtrs situate, lying and being at Mouje - Tragad, Taluka - Ghatlodiya in the Registration District of Ahmedabad Sub District - Ahmedabad - 8 (sola).

Date : January 26, 2021.

Place : Ahmedabad.

Manish Kanubhai Patel, Advocate

Enrolment No. G / 1504 / 2006.

Note of caution and disclaimer :-

- * This is to inform that Search of complete registration records is not available due to destruction of record and tearing of pages of Books available for inspection and hence it cannot be inspected and its search is not available and on that condition the above Title Report/Opinion is issued exclusively for his/her/their/it's personal use.
- * Please ascertain that the Government Authorities have not put any restrictions in making construction on said land because of any historical monument/religious place/water body/road lying and widening, etc. situated nearby or proposed public transportation system in surrounding areas. Also verify that there is no acquisition/reservation in said land/property and there are no pending litigations or injunction/status quo granted therein in respect of the said land/property.